

City Council Agenda

Council President

Mike Dages

Councilmembers

Tom Boyajian
Brian Calhoun
Jerry Duncan

Henry T. Perea
Cynthia Sterling
Larry Westerlund

City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch, CMC

City Attorney
Hilda Cantú Montoy

Meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Office at 621-7650

The City Council welcomes you to this meeting.

DECEMBER 6, 2005

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on (www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Presentation of the SPCA Pet of the Month – Council President Dages

Presentation of District 7 Student Recognition Awards – Councilmember Perea

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of November 29, 2005

Action Taken:

Councilmember Reports and Comments

Action Taken

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **GENERAL CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. **RESOLUTION** – Approving the Final Map of Tract No. 5359 and accepting dedicated public uses therein and authorize the Planning and Development Director to execute the necessary documents – Planning and Development Department

Action Taken:

- B. Consideration of proposed Shields-Cornelia No. 3 Reorganization and approval to file with the Fresno Local Agency Formation Commission (LAFCO) for the detachment of certain territory consisting of approximately 57 acres from the North Central Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno (***Property located in District 1***) - Planning and Development Dept.

Action Taken:

1. Affirm the action of the City Council of May 17, 2005, adopting the environmental finding of Environmental Assessment No. R-04-82/T-5406, dated March 31, 2005, that the project proposal conform to the provisions of MEIR No. 10130 for the 2025 Fresno General Plan

Action Taken:

2. **RESOLUTION** – Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Shields-Cornelia No. 3 Reorganization

Action Taken:

- C. * **BILL NO. B-145 – (Intro. 11/29/2005) (For adoption)** - Amending and adding Subsections (a) and (b) to 13-920 of the Fresno Municipal Code relating to sign violations on public property – City Attorney's Office

Action Taken:

2. **GENERAL ADMINISTRATION**

- A. **BILL - (For introduction)** – Adopt Text Amendment Application No. TA-05-02 amending the text of the Fresno Municipal Code Zoning Ordinance regarding the relocation of single family historic buildings and the interior side yard setback for key lots – Planning and Development Dept.

Action Taken:

- B. **BILL - (For introduction)** – Adopt Text Amendment Application No. TA-05-03 amending the text of the Fresno Municipal Code Zoning Ordinance to add residential/commercial mixed use projects to the various commercial zone districts – Planning and Development Dept.

Action Taken:

3. **CITY COUNCIL**

- A. Discussion on the status of work by the Measure "C" Committee, and the selection and prioritization of projects which will provide major economic benefits to the City of Fresno - Councilmember Boyajian
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. A. **SCHEDULED COMMUNICATION**

- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

9:30 A.M. **RESOLUTION** - Applying to the Local Agency Formation Commission (LAFCO) in the matter of an amendment to include the "Southeast Growth Area" within the City of Fresno's Sphere of Influence and related matters – Planning and Development Dept.
Action Taken:

10:00 A.M. **CONTINUED HEARING** to consider Plan Amendment Application No. A-04-01, Rezone Application No. R-04-03, and environment filed by State Center Community College District and Clovis Unified School District, pertaining to approximately 214 acres of property located north and south of the E. International Avenue alignment between N. Willow and N. Chestnut Avenues. The project also includes the detachment of the subject property from the Kings River Conservation District and the Fresno County Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency ***(Property located in District 6)*** – Planning and Development Dept. ***(Continue to December 13, 2005 @ 3:45 p.m.)***
Action Taken:

10:15 A.M. **HEARING** to consider Rezone Application No. R-05-53 and environmental findings, filed by Donald W. Sims, pertaining to 0.23 acre of property located on the south side of E. Whites Bridge Avenue between S. Plumas Street and S. Thorne Avenue ***(Property located in District 3)*** – Planning and Development Dept.
Action Taken:
a. Consider and adopt Environmental Assessment No. R-05-53, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan
Action Taken:
b. **BILL** – Amending the Official Zone Map to rezone the subject property from the C-6 *(Heavy Commercial)* to the R-2-A *(Low Density Multiple Family Residential, one story)* zone district
Action Taken:

10:30 A.M. **HEARING** to consider Rezone Application No. R-05-56 and environmental findings, filed by Rodolfo Castillo, pertaining to 0.39 acre of property located on the northeast corner of E. Laurel and S. Willow Avenues ***(Property located in District 5)*** – Planning and Development Dept.
Action Taken:
a. Consider and adopt Environmental Assessment No. R-05-56, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan
Action Taken:
b. **BILL** – Amending the Official Zone Map to rezone the subject property from the R-A *(Single Family Residential-Agricultural)* zone district to the R-1 *(Single Family Residential)* zone district
Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

10:45 A. M. **HEARING** to consider Rezone Application No. R-05-76 and environmental findings, filed by David C. Wong, pertaining to approximately 0.17 acre of property located on the north side of E. Whites Bridge Avenue between S. Plumas Street and S. Thorne Avenue **(Property located in District 3)** – Planning and Development Dept.

Action Taken:

- a. Consider and adopt Environmental Assessment No. R-05-76, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

Action Taken:

- b. **BILL** – Amending the Official Zone Map to rezone the subject property from the C-6 (*Heavy Commercial*) zone district to the R-2-A (*Low Density Multiple Family Residential, one story*) zone district

Action Taken:

4:30 P.M. **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of November 15, 2005

Action Taken:

- A. **RESOLUTION** – Approving rules and regulations for land acquisition and relocation of displaced persons due to land acquisition by the Agency **(Agency action)**

Action Taken:

- B. Request an update regarding the Forest City project – Council President Dages and Councilmember Sterling **(Council and Agency action)**

ADJOURN AGENCY

5:00 P.M. Christmas Tree Lighting Ceremony (2nd floor foyer)

5:00 P.M. **HEARING** to consider an appeal of Environmental Assessment No. C-04-332, **(Continued to 5:30 p.m.)**

5:30 P.M. **CONTINUED HEARING** to consider an appeal of Environmental Assessment No. C-04-332, Finding of Conformity to the Master Environmental Impact Report (MEIR) No. 10130 for the Fresno General Plan pursuant to the California Environmental Quality Act (CEQA) Guidelines Public Resources Code Section 21151(c). Environmental Assessment No. C-04-332 was prepared for Conditional Use Permit Application No. C-04-332, which proposes the construction of a 24,060 square-foot building addition on the campus of Saint Anthony parochial elementary school (5680 N. Maroa Avenue) **(Property located in District 2)** – Planning and Development Dept.

Action Taken:

- a. **RESOLUTION** – Upholding the appeal on Environmental Assessment No. C-04-332 Finding of Conformity

Action Taken:

- b. **RESOLUTION** - Denying the appeal on Environmental Assessment No. C-04-332 Finding of Conformity and adopting a Finding of Conformity

Action Taken:

SCHEDULED COUNCIL HEARINGS AND MATTERS

Dec.	13 -	10:00 A.M.	HEARING re: Text Amendment No. TA-05-02, regarding the location of single family historic building and the interior side yard setback for key lots
Dec.	13 -	10:10 A.M.	HEARING re: Text Amendment No. TA-05-03, to add residential/commercial mixed use projects to the various commercial zone districts
Dec.	13 -	10:20 A.M.	HEARING – Adopt resolutions designating the Amazon S. Hays Home located at 330 N. Fulton Street and the Mary Matson Home located at 1440 E. Divisadero Street to the Local Register of Historic Resources
Dec.	13 -	10:30 A.M.	HEARING re: Rezone Application No. R-05-48, filed by Generation Homes
Dec.	13 -	10:45 A.M.	HEARING re: Plan Amendment No. A-04-33, filed by Copper River Ranch
Dec.	13 -	10:50 A.M.	HEARING to consider American Baptist Homes of the West – Finance Dept.
Dec.	13 -	11:00 A.M.	CONTINUED HEARING to consider an appeal of the Planning Commission's action approving Conditional Use Permit Application No. C-05-03 and environmental findings, filed by Cricket Communications
Dec.	13 -	3:00 P.M.	HEARING re: Rezone Application No. R-05-29, filed by Pleasant Valley Investments, L.C.
Dec.	13 -	3:15 P.M.	HEARING re: Rezone Application No. R-05-43 (Laguna Lakeside, LLC, Provost and Pritchard Engineering) Appeal filed by Robert Mitchell
Dec.	13 -	3:30 P.M.	CONTINUED RDA HEARING to consider resolution of public interest and necessity for the acquisition of a fee interest from the following parcels of real property located on L Street
Dec.	13 -	3:45 P.M.	CONTINUED HEARING to consider Plan Amendment Application No. A-04-01, Rezone Application No. R-04-03, and environment filed by State Center Community College District and Clovis Unified School District, pertaining to approximately 214 acres of property located north and south of the E. International Avenue alignment between N. Willow and N. Chestnut Avenues
Dec.	13 -	4:00 P.M.	HEARING re: Rezone Application No. R-04-93, filed by Patriot Homes
Dec.	13 -	4:10 P.M.	HEARING re: Rezone Application No. R-05-31, filed by Pleasant Valley Investments, Inc.
Dec.	20 -	8:30 A.M.	Consideration of Planning and Development Dept. items
Dec.	27 -	NO MEETING - NEW YEARS WEEK	
Jan.	3 -	10:00 A.M.	HEARING re: the vacation of a portion of West Avenue south of Herndon Avenue – R.I. No. 1048-D
Jan.	3 -	10:10 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 105, Tract No. 5414
Jan.	3 -	10:15 A.M.	HEARING re: Community Facilities District No. 11, Annexation No. 1, Tract No. 5357
Jan.	10 -	10:30 A.M.	Discussion and approval of outlined recommendation regarding the utilization of fire sprinklers
Jan.	10 -	3:00 P.M.	JOINT RDA HEARING re: purchase of 2.52 acres at the northeast corner of Chestnut and Shields Avenues
Jan.	10 -	3:30 P.M.	WORKSHOP on video policing – Councilmember Duncan
Jan.	10 -	5:30 P.M.	HEARING – Adopt a resolution designating Building 8, the Former Retail Shed of the Sugar Pine Lumber Company (Pinedale Assembly Center Site, Camp Pinedale) 7435 N. Ingram Avenue to the Local Register of Historic Resources (District 2)

(Future workshops – dates to be determined)

WORKSHOP – Follow-up discussion regarding Caltrans discussion held 12/7/2004